CF 10001

(5)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION NO.2914 OF 2004

PETITIONERS :

1. Saroj Kumar Dubey, S/O Dayanand Dubey, Aged about 30 years, Presently posted as Constable No.689 (Old No.809), Police Station Lalbagh, Rajnandgaon, District Rajnandgaon (C.G.).

2. Rajesh Kumar Mathare, S/O Shivlal Mathare, Aged about 35 years, Presently posted as Constable No.536 (Old No.827), Police Station Ambagarh Chowki, District Rajnandgaon (C.G.).

3. Avadesh Prasad, S/O Shiv Prasad, Aged about 35 years, Presently posted as Constable No.386 (Old No.364), Police Station Ambagarh Chowki District Rajnandgaon (C.G.).

4. Dwarika Prasad Tiwari, S/O Hiralal Tiwari, Aged about 50 years, Presently posted as Head Constable No.8 (Old No.403), Police Station Ghumka, District Rajnandgaon (C.G.).

5. Bhanupratap Bohare, S/O Sudama Prasad Bohare, Aged about 45 years, Presently posted as Head Constable No.18 (Old No.214), Traffic Police Center, District Rajnandgaon (C.G.).

6. Nafis Mohammed, S/O Abib Ulla Khan, Aged about 34 years, Presently posted as Constable No.39 (Old No.649), Police Station

P. R. No. 2946/04 Presented by Shri S.N. Tiwari Counsel dated 26-8-04

RECEIVED COPY 26.8.04 Clerk to A. G. Bilaspur

Raj Kumar 29/8/04 Clerk to Shri VINAY HARIT Senior Central Government Standing Counsel CHHATTISGARH HIGH COURT

(6)

Khairagarh, District Rajnandgaon (C.G.).

7. Roop Narayan Sharma, S/O Vidharam Sharma, Aged about 50 years, Presently posted as Head Constable No.77, Police Station Khairagarh, District Rajnandgaon (C.G.).

8. Ayodya Singh, S/O Jaiman Singh, Aged about 45 years, Presently posted as Constable No.318 (Old No.29), Traffic Police Center, District Rajnandgaon (C.G.).

9. Smt. Archana Bes, W/O Late Shri Pradeep Singh Bes, Aged about 35 years, Presently posted as Constable No.769 (Old No.899), Police Station Kotwali, District Rajnandgaon (C.G.).

10. Sanjeev Kumar Choudhary, S/O Rajendra Singh Choudhary, Aged about 30 years, Presently posted as Constable No.102 (Old No.798), Police Station Manpur, District Rajnandgaon (C.G.).

Versus

RESPONDENTS :

1. Union of India
Through the Secretary, Department of Personnel, Public Grievance and Pension, Third Floor, Lok Nayak Bhawan, Khan Market, New Delhi.

2. State of Madhya Pradesh
Through the Secretary, Department of Home Affairs, Vallabh Bhawan, Bhopal (M.P.).

3. State of Chhattisgarh

शपथ आयुक्त
पी.के. शुक्ला
बिलासपुर (छ.ग.)
बिलासपुर तहसील क्षेत्र

Through the Secretary, Department of Home Affairs, D.K.S. Building, Mantralaya, Raipur, Chhattisgarh.

4. Director General of Police, State of Chhattisgarh, Raipur (C.G.).

5. Inspector General of Police (Personnel), Police Head Quarters, Raipur, District Raipur (C.G.).

6. Superintendent of Police, District Rajnandgaon (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P. No. 2914/2004

मामला क्रमांक ..... सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20/9/2004

Shri H.S. Patel for the petitioners.

Shri S.K. Beriwal, Sr.Panel Lawyer, for the Union of India.

Shri Satish Gupta, Dy. Govt. Advocate, for the State.

Application for urgent hearing is allowed.

Heard.

Counsel for the petitioners submitted that in similar matter bearing W.P. No.578/04, orders have been passed. He prays that similar orders may be passed in this case also.

Prayer is not opposed by the other side.

Having considered the facts and circumstances of the case, material on record and in view of the judgment cited above and further the legal position, the action of the State Authorities in not relieving the petitioners cannot be sustained and the petitioners are entitled for relieving.

Accordingly, the petition is allowed. The respondents are directed to relieve the petitioners within fifteen days from the date of production of the copy of this order.

With the aforesaid observations, this petition stands disposed of.

Consequently, M.W.P. No.2563/04 also stands disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

[पीछे देखिये